



## DEPARTMENT OF EDUCATION


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TOM LUNA  
STATE SUPERINTENDENT  
PUBLIC INSTRUCTION

### MEMORANDUM

Date: December 12, 2013

To: Migrant Program Directors/Coordinators  
District Migrant Family Liaisons  
Regional ID& R Coordinators

From: Mary Lou Wells   
Migrant Education Program Coordinator

Subject: Harvest truck drivers

In response to recent inquiries regarding temporary truck drivers during harvest, the State MEP has put together the following guidance in a question and answer format. Below is also the Idaho MEP policy specifically addressing this particular area. If you continue to have further questions in this area, please do not hesitate to contact the Regional IDR Coordinator assigned to your district.

#### Question:

During late fall and into the winter months, sugar beets are harvested in various parts of Idaho. Temporary workers are hired as drivers between the months of October and January to transport the product from the fields to piling sites and processing plants. Do the children qualify for the MEP, based on their parent/guardian's temporary employment?

#### Answer:

Yes. As stated in policy, the Idaho Migrant Education Program considers "moving" a product on a farm, ranch, or other facility an integral part of the production or initial processing agricultural work. Together with this rule, the qualifying worker must meet the definition of a migratory agricultural worker and temporary employment as defined in §200.81(d) and (k). A brief explanation is required in the Comments Section of the Certificate of Eligibility.

#### **Idaho MEP Policy:**

##### **Moving a product on a farm, ranch or other facility:**

The Idaho MEP considers "moving" a product on a farm, ranch, or other facility an integral part of the production or initial processing agricultural work. Transporting a product to a market, wholesaler, or processing plant is not considered to be production or initial processing. For the purpose of

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documentation, the Idaho MEP recruiters should use for the qualifying activity, “moving \_\_\_\_.” For example, “moving potatoes.” **Section III of the COE.**

*Note: “Shipping and trucking” is work that is often carried out by a third-party retailer, wholesaler, or contractor paid to transport various products. Therefore, the service these companies or contractors provide is “shipping” or “trucking” and not production or initial processing.*

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